



11-13-06

IFW/H

Express Mail Mailing Label No. EV 689994770 US

TRANSMITTAL
FORM

Application Serial Number	10/848,735
Filing Date	May 19, 2004
First Named Inventor	Schomacker
Group Art Unit	2884
Examiner Name	Sung, Christine
Attorney Docket No.	MDS-033C1
Patent No.	Not applicable
Issue Date	Not applicable

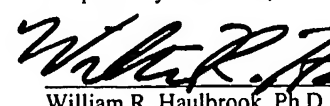
ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Check Attached <input type="checkbox"/> Copy of Fee Transmittal Form	<input type="checkbox"/> Copy of Notice to File Missing Parts of Application	<input type="checkbox"/> Notice of Appeal to Board of Patent Appeals and Interferences
<input type="checkbox"/> Amendment/Response <input type="checkbox"/> Preliminary <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Letter to Official Draftsperson including Drawings [Total Sheets ____]	<input type="checkbox"/> Formal Drawing(s)	<input type="checkbox"/> Appeal Brief (in triplicate)
<input type="checkbox"/> Petition for Extension of Time	<input type="checkbox"/> Request For Continued Examination (RCE) Transmittal	<input type="checkbox"/> Status Inquiry
<input checked="" type="checkbox"/> Second Supplemental Information Disclosure Statement <input checked="" type="checkbox"/> Form PTO-1449 <input checked="" type="checkbox"/> Copy of SIDS Citation C122	<input type="checkbox"/> Power of Attorney (Revocation of Prior Powers)	<input checked="" type="checkbox"/> Return Receipt Postcard
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> Certificate of First Class Mailing under 37 C.F.R. 1.8
<input type="checkbox"/> Sequence Listing submission <input type="checkbox"/> Paper Copy/CD <input type="checkbox"/> Computer Readable Copy <input type="checkbox"/> Statement verifying identity of above	<input type="checkbox"/> Executed Declaration and Power of Attorney for Utility or Design Patent Application	<input type="checkbox"/> Certificate of Facsimile Transmission under 37 C.F.R. 1.8
	<input type="checkbox"/> Small Entity Statement	<input type="checkbox"/> Additional Enclosure(s) (please identify below)
	<input type="checkbox"/> CD(s) for large table or computer program	
	<input type="checkbox"/> Amendment After Allowance	
	<input type="checkbox"/> Request for Certificate of Correction <input type="checkbox"/> Certificate of Correction (in duplicate)	

CORRESPONDENCE ADDRESS

Direct all correspondence to: Patent Administrator
Goodwin Procter LLP
Exchange Place
Boston, MA 02109
Tel. No.: (617) 570-1000
Fax No.: (617) 523-1231
Customer No. 051414


SIGNATURE BLOCK

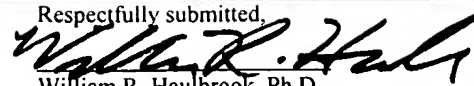
Respectfully submitted,

William R. Haulbrook, Ph.D.
Atty/Agent for Applicant(s)
Goodwin Procter LLP
Exchange Place
Boston, MA 02109

Date: November 10, 2006
Reg. No. 53,002
Tel. No.: (617) 570-1013
Fax No.: (617) 523-1231

VER 12/00

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 FEE TRANSMITTAL NOV 10 2005 U.S. PATENT & TRADEMARK OFFICE	<i>Complete if Known</i>	
	Application Serial Number	10/848,735
	Filing Date	May 19, 2004
	First Named Inventor	Schomacker
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METHOD OF PAYMENT		FEE CALCULATION (continued)																																																																																																									
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2. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to credit or charge any fee indicated below for this submission to Deposit Account No. 07-1700. <input type="checkbox"/> Required Fees (copy of this sheet enclosed). <input checked="" type="checkbox"/> Additional fee required under 37 CFR 1.16 and 1.17. <input checked="" type="checkbox"/> Overpayment Credit.		<table border="1"> <thead> <tr> <th>Large Entity Fee (\$)</th> <th>Small Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>130</td> <td>65</td> <td>Surcharge - late filing fee or oath</td> <td></td> </tr> <tr> <td>50</td> <td>25</td> <td>Surcharge - late provisional filing fee or cover sheet</td> <td></td> </tr> <tr> <td>130</td> <td>130</td> <td>Non-English specification</td> <td></td> </tr> <tr> <td>2,520</td> <td>2,520</td> <td>Request for ex parte reexamination</td> <td></td> </tr> <tr> <td>120</td> <td>60</td> <td>Extension for reply within first month</td> <td></td> </tr> <tr> <td>450</td> <td>225</td> <td>Extension for reply within second month</td> <td></td> </tr> <tr> <td>1020</td> <td>510</td> <td>Extension for reply within third month</td> <td></td> </tr> <tr> <td>1590</td> <td>795</td> <td>Extension for reply within fourth month</td> <td></td> </tr> <tr> <td>2160</td> <td>1080</td> <td>Extension for reply within fifth month</td> <td></td> </tr> <tr> <td>500</td> <td>250</td> <td>Notice of Appeal</td> <td></td> </tr> <tr> <td>500</td> <td>250</td> <td>Filing a brief in support of an appeal</td> <td></td> </tr> <tr> <td>1000</td> <td>500</td> <td>Request for oral hearing</td> <td></td> </tr> <tr> <td>400</td> <td>400</td> <td>Petitions to the Commissioner (Gp. I)</td> <td></td> </tr> <tr> <td>200</td> <td>200</td> <td>Petitions to the Commissioner (Gp. II)</td> <td></td> </tr> <tr> <td>130</td> <td>130</td> <td>Petitions to the Commissioner (Gp. III)</td> <td></td> </tr> <tr> <td>180</td> <td>180</td> <td>Submission of Information Disclosure Statement</td> <td>180.00</td> </tr> <tr> <td>790</td> <td>395</td> <td>Filing a submission after final rejection (37 CFR 1.129(a))</td> <td></td> </tr> <tr> <td>790</td> <td>395</td> <td>For each additional invention to be examined (37 CFR 1.129(b))</td> <td></td> </tr> <tr> <td>100</td> <td>100</td> <td>Certificate of Correction for applicant's error</td> <td></td> </tr> <tr> <td>130</td> <td>65</td> <td>Submission of Terminal Disclaimer</td> <td></td> </tr> <tr> <td colspan="2">Other fee (Specify) _____</td> <td></td> <td></td> </tr> <tr> <td colspan="2">Other fee (Specify) _____</td> <td></td> <td></td> </tr> </tbody> </table>		Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid	130	65	Surcharge - late filing fee or oath		50	25	Surcharge - late provisional filing fee or cover sheet		130	130	Non-English specification		2,520	2,520	Request for ex parte reexamination		120	60	Extension for reply within first month		450	225	Extension for reply within second month		1020	510	Extension for reply within third month		1590	795	Extension for reply within fourth month		2160	1080	Extension for reply within fifth month		500	250	Notice of Appeal		500	250	Filing a brief in support of an appeal		1000	500	Request for oral hearing		400	400	Petitions to the Commissioner (Gp. I)		200	200	Petitions to the Commissioner (Gp. II)		130	130	Petitions to the Commissioner (Gp. III)		180	180	Submission of Information Disclosure Statement	180.00	790	395	Filing a submission after final rejection (37 CFR 1.129(a))		790	395	For each additional invention to be examined (37 CFR 1.129(b))		100	100	Certificate of Correction for applicant's error		130	65	Submission of Terminal Disclaimer		Other fee (Specify) _____				Other fee (Specify) _____															
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CORRESPONDENCE ADDRESS Direct all correspondence to: Patent Administrator Goodwin Procter LLP Exchange Place Boston, MA 02109 Tel. No.: (617) 570-1000 Fax No.: (617) 523-1231 Customer No. 051414		SIGNATURE BLOCK Respectfully submitted,  Date: November 10, 2006 Reg. No.: 53,002 Tel. No.: (617) 570-1013 Fax No.: (617) 523-1231 William R. Haulbrook, Ph.D. Attorney for the Applicants Goodwin Procter LLP Exchange Place Boston, MA 02109																																																																																																									



Express Mail Mailing Label No. EV 689994770 US

PATENT
Attorney Docket No. MDS-033C1
(120407/156567)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Schomacker et al. CONFIRMATION NO.: 7328
SERIAL NO.: 10/848,735 GROUP NO.: 2884
FILING DATE: May 19, 2004 EXAMINER: Sung, Christine
TITLE: METHOD AND APPARATUS FOR IDENTIFYING
SPECTRAL ARTIFACTS

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with the provisions of 37 C.F.R. §1.97, Applicant hereby makes of record the references listed on the accompanying Form PTO-1449 for consideration by the Examiner in connection with the examination of the above-identified patent application. In accordance with 37 C.F.R. 1.98(a)(2), only copies of the foreign patent documents and non-patent publications are enclosed.

REMARKS

In accordance with the provisions of 37 C.F.R. 1.97, this statement is being filed (CHECK ONE):

- ☐ (1) within three (3) months of the **filing date** of a national application other than a continued prosecution application under 37 C.F.R. 1.53(d), or within three (3) months of the **date of entry of the national stage** as set forth in 37 C.F.R. 1.491 in an international application, or before the mailing of the **first Office action** on the merits, or before the mailing of a **first Office action** after the filing of a request for continued examination under 37 C.F.R. 1.114; or
- ☒ (2) after the period defined in (1) but before the mailing date of a **final action** or a **notice of allowance** under 37 C.F.R. 1.311, and
- ☐ the requisite Statement is below, **OR**
☒ the requisite fee under 37 C.F.R. 1.17(p), namely **\$180.00**, is included herein, or
- ☐ (3) after the mailing date of a **final action** or **notice of allowance** but before the payment of the **issue fee**, **AND**
- ☐ the requisite Statement is below, **AND**

11/14/2006 RFEKADU1 00000018 10848735
01 FC:1806 180.00 0P

☐ the requisite petition fee under 37 C.F.R. 1.17(p), namely \$180.00 is included herein.

In addition, Applicants wish to inform the Examiner of the following commonly-owned, co-pending applications:

- 1) U.S. Serial No. 09/841,325, Attorney Docket No. MDS-009CN, filed on 4/24/01, by Modell et al.;
- 2) U.S. Serial No. 09/591,706, Attorney Docket No. MDS-012, filed on 6/9/00, by Nordstrom et al.;
- 3) U.S. Serial No. 09/738,614, Attorney Docket No. MDS-013A, filed on 12/15/00, by Kaufman et al.;
- 4) U.S. Serial No. 10/068,133, Attorney Docket No. MDS-013AC2, filed on 2/5/02, by Kaufman et al.;
- 5) U.S. Serial No. 09/738,147, Attorney Docket No. MDS-013B, filed on 12/15/00, by Kaufman et al.;
- 6) U.S. Serial No. 10/411,777, Attorney Docket No. MDS-013BC1, filed on 4/11/03, by Kaufman et al.;
- 7) U.S. Serial No. 10/870,672, Attorney Docket No. MDS-014C2, filed on 6/17/04, by Modell et al.;
- 8) U.S. Serial No. 10/122,429, Attorney Docket No. MDS-015CN, filed on 4/12/02, by Nordstrom et al.;
- 9) U.S. Serial No. 09/481,762, Attorney Docket No. MDS-016, filed on 1/11/00, by Modell et al.;
- 10) U.S. Serial No. 10/701,123, Attorney Docket No. MDS-016CN, filed on 11/4/03, by Modell et al.;
- 11) U.S. Serial No. 09/738,612, Attorney Docket No. MDS-020, filed on 12/15/00, by Costa et al.;
- 12) U.S. Serial No. 10/872,128, Attorney Docket No. MDS-020C1, filed on 6/18/04, by Costa et al.;
- 13) U.S. Serial No. 10/071,932, Attorney Docket No. MDS-022C1, filed on 2/8/02, by Nordstrom et al.;
- 14) U.S. Serial No. 10/192,820, Attorney Docket No. MDS-028, filed on 7/10/02, by Schomacker et al.;
- 15) U.S. Serial No. 10/273,511, Attorney Docket No. MDS-030, filed on 3/15/2002, by Kaufman et al.;
- 16) U.S. Serial No. 10/894,356, Attorney Docket No. MDS-032C1, filed on 7/19/04, by Zelenchuk;
- 17) U.S. Serial No. 10/243,535, Attorney Docket No. MDS-033, filed on 9/13/02, by Schomacker et al.;
- 18) U.S. Serial No. 10/848,735, Attorney Docket No. MDS-033C1, filed on 5/19/04, by Schomacker et al.;
- 19) U.S. Serial No. 10/295,794, Attorney Docket No. MDS-034, filed on 11/15/02, by Schomacker et al.;
- 20) U.S. Serial No. 10/828,624, Attorney Docket No. MDS-034DV, filed on 4/21/04, by Schomacker et al.;
- 21) U.S. Serial No. 10/418,922, Attorney Docket No. MDS-035, filed on 4/18/03, by Flewelling et al.;
- 22) U.S. Serial No. 10/418,902, Attorney Docket No. MDS-035A, filed on 4/18/03, by Jiang et al.;
- 23) U.S. Serial No. 10/418,974, Attorney Docket No. MDS-035B, filed on 4/18/03, by Jiang;
- 24) U.S. Serial No. 10/418,668, Attorney Docket No. MDS-035D, filed on 4/18/03, by Costa et al.;
- 25) U.S. Serial No. 10/418,975, Attorney Docket No. MDS-035E, filed on 4/18/03, by Jiang et al.;
- 26) U.S. Serial No. 10/418,415, Attorney Docket No. MDS-035F, filed on 4/18/03, by Schomacker et al.;
- 27) U.S. Serial No. 10/419,181, Attorney Docket No. MDS-035G, filed on 4/18/03, by Jiang et al.; and
- 28) U.S. Serial No. 10/418,973, Attorney Docket No. MDS-035H, filed on 4/18/03, by Schomacker et al.

29) U.S. Serial No. 10/530,741, Attorney Docket No. MDS-037, filed on 4/7/2005, by Flewelling et al.

It is respectfully requested that each of the patents and publications listed on the attached Form PTO-1449, and other information contained herein, be made of record in this application.

STATEMENT

As required under 37 C.F.R. 1.97(e), Applicant(s), through the undersigned, hereby state either that [check the appropriate space only if either (2) or (3) is checked on the previous page and the Statement is required]:

- ☐ 1. Each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application **not more than three months** prior to the filing of the Information Disclosure Statement; or
- ☐ 2. No item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this Statement after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to **any individual** designated in 37 C.F.R. 1.56(c) **more than three months** prior to the filing of the Information Disclosure Statement.

Date: November 10, 2006
Reg. No. 53,002

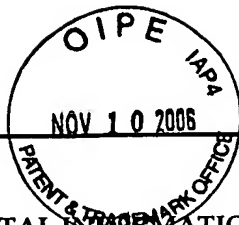
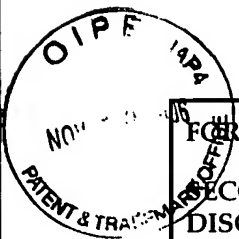
Tel. No.: (617) 570-1013
Fax No.: (617) 523-1231

1744229

Respectfully submitted,



William R. Haulbrook, Ph.D.
Attorney for Applicants
Goodwin Procter LLP
Exchange Place
Boston, Massachusetts 02109
Customer No. 051414



FORM PTO - 1449

SECOND SUPPLEMENTAL INFORMATION
DISCLOSURE STATEMENT

ATTORNEY DOCKET NO.: MDS-033C1

APPLICANT(S): Schomacker et al.

SERIAL NO.: 10/848,735

FILING DATE: May 19, 2004 GROUP: 2884

U.S. PATENT DOCUMENTS

EXAM. INIT.		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	A380	5,825,936	10/20/1998	Clarke et al.	382	261	

OTHER ART, JOURNAL ARTICLES, ETC.

EXAM. INIT.	OTHER DOCUMENTS: (Including Author, Title, Date, Relevant Pages, Place of Publication)	
	C122	Supplemental European Search Report for European Patent Application No. EP03763338, based on International Application No. PCT/US03/021312, and related to the U.S. parent of the present application, U.S. Serial No. 10/848,735.

1744225

EXAMINER	DATE CONSIDERED
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